

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

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|-----------------------------|---|--------------------------------|
| FRANKLIN D. McGHEE, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 2:14-cv-01532-LSC-SCG |
| |) | |
| MIKE HALE, Sheriff, et al., |) | |
| |) | |
| Defendants. |) | |

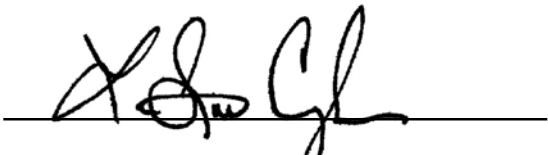
MEMORANDUM OPINION

The magistrate judge filed a report on June 15, 2016, recommending that defendant Sheriff Hale's special report be treated as a motion for summary judgment and further recommending that the motion be granted. (Doc. 31). The magistrate judge also recommended that the plaintiff's claims against defendant Deputy Davis be dismissed without prejudice for want of prosecution. Although the parties were advised of their right to file specific written objections within fourteen days, no objections have been received by the court.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the magistrate judge's report is **ADOPTED** and the recommendation is **ACCEPTED**. Accordingly, the court **ORDERS** that Sheriff Hale's motion for summary judgment is **GRANTED**, the court finding no genuine issues of material fact exist. The court further **ORDERS**

that the plaintiff's claims against Deputy Davis are **DISMISSED** without prejudice for want of prosecution. A Final Judgment will be entered.

Done and Ordered this 26th day of July 2016.



L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE
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